

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/820,448 § Examiner: Hutton Jr., William Filed: March 28, 2001 Group/Art Unit: 2178 Inventor(s): Atty. Dkt. No: 5676-00800 Paul W. Bennett § § § I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first § class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date § Title: SYSTEM AND METHOD indicated below. § FOR CALCULATION Jeffrey C. Hood USING A SUBTOTAL § **FUNCTION**

TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

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- 3. Paul W. Bennett hereby agrees that any patent so granted on the captioned application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the captioned patent application and is binding upon the grantee of such patent, and its or his successors or assigns.

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5. The undersigned is an attorney of record.

A Fee Authorization form is enclosed to cover the fee for this disclaimer; however, the Commissioner is authorized to charge any additional fees that may be required, or credit any overpayment, to Meyertons, Hood, Kivlin, Kowert & Goetzel PC Deposit Account No. 501505\5676-00800\JCH.

Date: 1/3/2005

By:

Jeffrey C. Hood Reg. No. 35,198 Attorney of Record